

in good faith to attempt to resolve to the extent possible their objections without the assistance of the Court as required by LCvR 30.1. Notwithstanding this attempt, certain objections remain.

2. Contemporaneously with the filing of this document, the Parties submitted to the Court Clerk of the Northern District the deposition transcripts of fifty-two (52) deponents which contain both the designations/counter-designations of the State and the Defendants. The designations/counter-designations of the Defendants within the transcripts are denoted by orange highlighting. While the designations/counter-designations within the transcript of the State are denoted by yellow highlighting. The objections that have not been resolved are annotated in the margins of the transcripts as required by LCvR 30.1.¹

3. Due to the lack of space available for annotations, the Parties have listed only the objections to the testimony. Neither this pleading nor the actual deposition transcripts submitted to the Court Clerk contain the non-moving Party's responses to the objections identified therein. Thus, the Parties reserve the right to respond to the remaining objections at a time the Court deems appropriate. The Parties respectfully request that the Court set a hearing to deal with these objections or refer the matter to the Magistrate Judge for ruling.

4. The testimony of several of the deponents that were originally designated by both sides is subject in whole or in significant part to motions *in limine* which have been filed by both sides. The Parties have agreed that the resolution of those motions will resolve all or most of the objections asserted by the parties to the designated testimony, and may further result in the withdraw of certain designated testimony. Rather than burden then Court with voluminous

¹ In order to manage this process, the Parties split the responsibility of incorporating the changes to the designations/counter-designations and objections discussed as a part of the meet and confer process. In order to comply with the deadline for their Objections to the Court within such a limited time given the volume of designated testimony, the Parties have not had the opportunity to review and verify the accuracy of the other Party's submissions. Thus, the Parties respectfully reserve the right to correct any errors that may exist within those submissions after the filing date of the Parties' Objections.

objections and additional transcripts, the Parties believe it to be in the best interest of judicial economy to wait to present any remaining objections to the designated testimony of these deponents until after the resolution of the motions *in limine* by the Court. Those deponents include: (1) Indrajeet Chaubey; (2) Kerry Kinyon; (3) Dan Henderson; (4) Ron Mullican; (5) Alan Ford; (6) Claud Rutherford; and (7) Preston Keller.

Respectfully submitted,

By /s/ Nicole M. Longwell
A. Scott McDaniel (Okla. Bar No. 16460) smcdaniel@mhla-law.com
Nicole M. Longwell (Okla. Bar No. 18771) nlongwell@mhla-law.com
Philip D. Hixon (Okla. Bar No. 19121) phixon@mhla-law.com
Craig A. Mirkes (Okla. Bar No. 20783) cmirkes@mhla-law.com
McDANIEL, HIXON, LONGWELL & ACORD, PLLC
320 South Boston Ave., Suite 700
Tulsa, Oklahoma 74103
(918) 382-9200
and
Sherry P. Bartley (Ark. Bar No. 79009)
Appearing Pro Hac Vice
MITCHELL, WILLIAMS, SELIG,
GATES & WOODYARD, P.L.L.C.
425 W. Capitol Ave., Suite 1800
Little Rock, Arkansas 72201
(501) 688-8800

**COUNSEL FOR DEFENDANT
PETERSON FARMS, INC.**

BY: /s/ Robert W. George
(SIGNED BY FILING ATTORNEY WITH PERMISSION)
Robert W. George, OBA #18562
Bryan Burns
TYSON FOODS, INC
2210 West Oaklawn Drive
Springdale, Arkansas 72762
(479) 290-4067 Telephone
(479) 290-7967 Facsimile
-and-
Stephen L. Jantzen, OBA #16247
Patrick M. Ryan, OBA #7864
Paula Buchwald, OBA # 20464
RYAN, WHALEY & COLDIRON, P.C.

119 North Robinson
900 Robinson Renaissance
Oklahoma City, OK 73102
(405) 239-6040 Telephone
(405) 239-6766 Facsimile

-and-

Michael R. Bond, *appearing pro hac vice*
Erin Thompson, *appearing pro hac vice*
Dustin R. Darst, *appearing pro hac vice*
KUTAK ROCK, LLP
234 East Millsap Road, Suite 400
Fayetteville, AR 72703-4099
(479) 973-4200 Telephone
(479) 973-0007 Facsimile

-and-

Mark D. Hopson, *appearing pro hac vice*
Gordon D. Todd, *appearing pro hac vice*
Jay T. Jorgensen, *appearing pro hac vice*
Timothy K. Webster, *appearing pro hac vice*
SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005-1401
(202) 736-8000 Telephone
(202) 736-8711 Facsimile

**ATTORNEYS FOR TYSON FOODS, INC.; TYSON POULTRY, INC.; TYSON
CHICKEN, INC.; AND COBB-VANTRESS, INC.**

BY: /s/ John H. Tucker
(SIGNED BY FILING ATTORNEY WITH PERMISSION)
Theresa Noble Hill, OBA #19119
John H. Tucker, OBA #9110
Colin H. Tucker, OBA #16325
RHODES, HIERONYMUS, JONES,
TUCKER & GABLE, PLLC
P. O. BOX 21100
100 WEST 5TH STREET, SUITE 400
Tulsa, OK 74121-1100
(918) 582-1173 Telephone
(918) 592-3390 Facsimile

-and-

Delmar R. Ehrich
Bruce Jones
Krisann C. Kleibacker Lee
Christopher H. Dolan
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402
(612) 766-7000 Telephone
(612) 766-1600 Facsimile

-and-

Todd P. Walker

Melissa C. Collins

Colin C. Deihl

Faegre & Benson, LLP

3200 Wells Fargo Center

1700 Lincoln Street

Denver, CO 80203

**ATTORNEYS FOR CARGILL, INC., and CARGILL TURKEY PRODUCTION,
LLC**

BY: /s/ James M. Graves

(SIGNED BY FILING ATTORNEY WITH PERMISSION)

James M. Graves

Gary V. Weeks

Woodson W. Bassett III

K. C. Dupps Tucker

BASSETT LAW FIRM

P. O. BOX 3618

FAYETTEVILLE, AR 72702-3618

(479) 521-9996 Telephone

(479) 521-9600 Facsimile

-and-

Randall E. Rose, OBA #7753

George W. Owens

OWENS LAW FIRM, P.C.

234 W. 13th Street

Tulsa, OK 74119

(918) 587-0021 Telephone

(918) 587-6111 Facsimile

ATTORNEYS FOR GEORGE'S, INC. AND GEORGE'S FARMS, INC.

BY: /s/ John R. Elrod

(SIGNED BY FILING ATTORNEY WITH PERMISSION)

John R. Elrod

Vicki Bronson, OBA #20574

P. Joshua Wisley

CONNER & WINTERS, PLLC

211 E. Dickson Street

Fayetteville, AR 72701

(479) 582-5711 Telephone

(479) 587-1426 Facsimile

-and-

Bruce W. Freeman

D. Richard Funk

CONNER & WINTERS, L.L.P.

4000 One Williams Center

Tulsa, OK 74172

(918) 586-5711 Telephone

(918) 586-8553 Facsimile

ATTORNEYS FOR SIMMONS FOODS, INC.

BY: /s/ Robert P. Redemann

(SIGNED BY FILING ATTORNEY WITH PERMISSION)

Robert P. Redemann, OBA #7454

William D. Perrine

David C. Senger

PERRINE, MCGIVERN, REDEMANN, REID,

BERRY & TAYLOR, P.L.L.C.

P. O. BOX 1710

Tulsa, OK 74101-1710

(918) 382-1400 Telephone

(918) 382-1499 Facsimile

-and-

Robert E. Sanders

Stephen Williams

YOUNG WILLIAMS P.A.

P. O. BOX 23059

JACKSON, MS 39225-3059

(601) 948-6100 Telephone

(601) 355-6136 Facsimile

ATTORNEYS FOR CAL-MAINE FARMS, INC. AND CAL-MAINE FOODS, INC.

BY: /s/ D. Sharon Gentry

(SIGNED BY FILING ATTORNEY WITH PERMISSION)

W. A. Drew Edmondson OBA #2628

ATTORNEY GENERAL

Kelly H. Burch

Assistant Attorney General

State of Oklahoma

313 N.E. 21st Street

Oklahoma City, OK 73105

(405) 521-3921

-and-

M. David Riggs OBA #7583

Robert A. Nance OBA #6581

Joseph P. Lennart

Richard T. Garren

Sharon K. Weaver

D. Sharon Gentry

David P. Page

RIGGS, ABNEY, NEAL, TURPEN, ORBISON & LEWIS

502 West Sixth Street

Tulsa, OK 74119

(918) 587-3161

ATTORNEYS FOR PLAINTIFF STATE OF OKLAHOAM

CERTIFICATE OF SERVICE

I certify that on the 7th day of August, 2009, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

W. A. Drew Edmondson, Attorney General
Kelly Hunter Burch, Assistant Attorney General

drew_edmondson@oag.state.ok.us
kelly_burch@oag.state.ok.us

Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
David P. Page
Riggs Abney Neal Turpen Orbison & Lewis

driggs@riggsabney.com
rgarren@riggsabney.com
sweaver@riggsabney.com
dpage@riggsabney.com

Robert Allen Nance
Dorothy Sharon Gentry
Riggs Abney

rnance@riggsabney.com
sgentry@riggsabney.com

Louis W. Bullock
Robert M. Blakemore
Bullock Bullock & Blakemore

lbullock@bullock-blakemore.com
bblakemore@bullock-blakemore.com

Michael G. Rousseau
Jonathan D. Orent
Fidelma L. Fitzpatrick
Motley Rice LLC

mrousseau@motleyrice.com
jorent@motleyrice.com
ffitzpatrick@motleyrice.com

Elizabeth C. Ward
Frederick C. Baker
William H. Narwold
Elizabeth Claire Xidis
Ingrid L. Moll
Motley Rice

lward@motleyrice.com
fbaker@motleyrice.com
bnarwold@motleyrice.com
cxidis@motleyrice.com
imoll@motleyrice.com

COUNSEL FOR PLAINTIFFS

Stephen L. Jantzen
Patrick M. Ryan
Paula M. Buchwald
Ryan, Whaley & Coldiron, P.C.

sjantzen@ryanwhaley.com
pryan@ryanwhaley.com
pbuchwald@ryanwhaley.com

Mark D. Hopson
Jay Thomas Jorgensen
Timothy K. Webster
Gordon D. Todd
Erik J. Ives
Sidley Austin LLP

mhopson@sidley.com
jjorgensen@sidley.com
twebster@sidley.com
gtodd@sidley.com
eives@sidley.com

Robert W. George
L. Bryan Burns

robert.george@tyson.com
bryan.burns@tyson.com

Timothy T. Jones
Tyson Foods, Inc.

tim.jones@tyson.com

Michael R. Bond
Erin Walker Thompson
Dustin R. Darst
Kutak Rock LLP

michael.bond@kutakrock.com
erin.thompson@kutakrock.com
dustin.darst@kutakrock.com

**COUNSEL FOR TYSON FOODS, INC., TYSON POULTRY, INC., TYSON CHICKEN, INC.;
AND COBB-VANTRESS, INC.**

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables

rtl@kiralaw.com

Jennifer S. Griffin
Frank M. Evans, III
Lathrop & Gage, L.C.

jgriffin@lathropgage.com
fevans@lathropgage.com

COUNSEL FOR WILLOW BROOK FOODS, INC.

Robert P. Redemann
William D. Perrine
David C. Senger
Perrine, McGivern, Redemann, Reid, Berry & Taylor, PLLC

rredemann@pmrlaw.net
wperrine@pmrlaw.net
david@cgmlawok.com

Robert E. Sanders
E. Stephen Williams
Young Williams P.A.

rsanders@youngwilliams.com
steve.williams@youngwilliams.com

COUNSEL FOR CAL-MAINE FOODS, INC. AND CAL-MAINE FARMS, INC.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.

gwo@owenslawfirmnpc.com
rer@owenslawfirmnpc.com

James M. Graves
Gary V. Weeks
Woody Bassett
K.C. Dupps Tucker
Earl Lee "Buddy" Chadick
Vincent O. Chadick
Bassett Law Firm

jgraves@bassettlawfirm.com
gweeks@bassettlawfirm.com
wbassett@bassettlawfirm.com
kctucker@bassettlawfirm.com
bchadick@bassettlawfirm.com
vchadick@bassettlawfirm.com

COUNSEL FOR GEORGE'S INC. AND GEORGE'S FARMS, INC.

John R. Elrod
Vicki Bronson
P. Joshua Wisley
Conner & Winters, P.C.

jelrod@cwlaw.com
vbronson@cwlaw.com
jwisley@cwlaw.com

Bruce W. Freeman
D. Richard Funk
Conner & Winters, LLLP
COUNSEL FOR SIMMONS FOODS, INC.

bfreeman@cwlaw.com

John H. Tucker
Colin H. Tucker
Theresa Noble Hill
Kerry R. Lewis
Rhodes, Hieronymus, Jones, Tucker & Gable

jtuckercourts@rhodesokla.com
chtucker@rhodesokla.com
thillcourts@rhodesokla.com
klewis@rhodesokla.com

Terry W. West
The West Law Firm

terry@thewesetlawfirm.com

Delmar R. Ehrich
Bruce Jones
Krisann Kleibacker Lee
Todd P. Walker
Christopher H. Dolan
Melissa C. Collins
Colin C. Deihl
Randal E. Kahnke
Faegre & Benson LLP

dehrich@faegre.com
bjones@faegre.com
kklee@baegre.com
twalker@faegre.com
cdolan@faegre.com
mcollins@faegre.com
cdeihl@faegre.com
rkahnke@faegre.com

Dara D. Mann
McKenna, Long & Aldridge LLP
COUNSEL FOR CARGILL, INC. AND CARGILL TURKEY PRODUCTION, LLC

dmann@mckennalong.com

Michael D. Graves
D. Kenyon Williams, Jr.
COUNSEL FOR POULTRY GROWERS

mgraves@hallestill.com
kwilliams@hallestill.com

William B. Federman
Jennifer F. Sherrill
Federman & Sherwood

wfederman@aol.com
jfs@federmanlaw.com

Charles Moulton
Jim DePriest
Office of the Attorney General
COUNSEL FOR THE STATE OF ARKANSAS AND THE ARKANSAS NATURAL RESOURCES COMMISSION

charles.moulton@arkansag.gov
jim.depriest@arkansasag.gov

Gary S. Chilton
Holladay, Chilton & Degiusti, PLLC

gchilton@hcdattorneys.com

Victor E. Schwartz
Cary Silverman
Shook, Hardy & Bacon, LLP

vschwartz@shb.com
csilverman@shb.com

Robin S. Conrad
National Chamber Litigation Center, Inc.

rconrad@uschamber.com

**COUNSEL FOR AMICI CURIAE CHAMBER OF COMMERCE FOR THE U.S. AND THE
AMERICAN TORT REFORM ASSOCIATION**

Richard C. Ford
LeAnne Burnett
Crowe & Dunlevy

fordr@crowedunlevy.com
burnettl@crowedunlevy.com

COUNSEL FOR AMICUS CURIAE OKLAHOMA FARM BUREAU, INC.

M. Richard Mullins
McAfee & Taft

richard.mullins@mcafeetaft.com

James D. Bradbury
James D. Bradbury, PLLC

jim@bradburycounsel.com

**COUNSEL FOR AMICI CURIAE TEXAS FARM BUREAU, TEXAS CATTLE FEEDERS
ASSOCIATION, TEXAS PORK PRODUCERS ASSOCIATION AND TEXAS ASSOCIATION
OF DAIRYMEN**

Mia Vahlberg
Gable Gotwals

mvahlberg@gablelaw.com

James T. Banks
Adam J. Siegel
Hogan & Hartson, LLP

jtbanks@hhlaw.com
ajsiegel@hhlaw.com

**COUNSEL FOR AMICI CURIAE NATIONAL CHICKEN COUNCIL, U.S. POULTRY & EGG
ASSOCIATION AND NATIONAL TURKEY FEDERATION**

John D. Russell
Fellers, Snider, Blankenship, Bailey & Tippens, P.C.

Jrussell@fellerssnider.com

William A. Waddell, Jr.
David E. Choate
Friday, Eldredge & Clark, LLP

waddell@fec.net
dchoate@fec.net

COUNSEL FOR AMICUS CURIAE ARKANSAS FARM BUREAU FEDERATION

Barry G. Reynolds
Jessica E. Rainey
Titus Hills Reynolds Love Dickman & McCalmon

reynolds@titushillis.com
jraine@titushillis.com

William S. Cox, III
Nikaa B. Jordan
Lightfoot, Franklin & White, LLC

wcox@lightfootlaw.com
njordan@lightfootlaw.com

**COUNSEL FOR AMICUS CURIAE AMERICAN FARM BUREAU FEDERATION AND
NATIONAL CATTLEMEN'S BEEF ASSOCIATION**

I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

J.D. Strong
Secretary of the Environment
State of Oklahoma
3800 North Classen
Oklahoma City, OK 73118
COUNSEL FOR PLAINTIFFS

Thomas C. Green
Sidley Austin Brown & Wood LLP
1501 K Street NW
Washington, DC 20005
**COUNSEL FOR TYSON FOODS, INC.,
TYSON POULTRY, INC., TYSON
CHICKEN, INC.; AND COBB-VANTRESS,
INC.**

Dustin McDaniel
Justin Allen
Office of the Attorney General of Arkansas
323 Center Street, Suite 200
Little Rock, AR 72201-2610
**COUNSEL FOR THE STATE OF
ARKANSAS AND THE ARKANSAS
NATURAL RESOURCES COMMISSION**

/s/ Nicole M. Longwell